

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

MARYLAND SHALL ISSUE, INC., *et al.* *

*

Plaintiffs, *

*

v. *

Civil No. 8:21-cv-01967-DLB

*

MONTGOMERY COUNTY, MD *

*

Defendant *

DEFENDANT'S STATEMENT PURSUANT TO ORDER CONCERNING REMOVAL

Defendant, Montgomery County, Maryland, by and through undersigned counsel, hereby files this Statement Pursuant to Order Concerning Removal and states:

1. The date(s) on which defendant was served with a copy of the summons and complaint: **Defendant Montgomery County, Maryland was served with the original complaint on June 10, 2021. Defendant was served with the First Amended Complaint on July 22, 2022.**

2. In actions predicated on diversity jurisdiction, an indication of whether any defendants who have been served are citizens of Maryland, and, for any entity that is not a corporation, the citizenship of all members: **This action is not predicated on diversity jurisdiction.**

3. If removal takes place more than thirty (30) days after any defendant was first served with a copy of the summons and complaint, the reasons why removal has taken place at this time and the date on which the defendant(s) was (were) first served with a paper identifying the basis for such removal: **Defendant timely removed the original Complaint on July 12, 2021 forming case number 8:21-cv-01736-TDC. On February 7, 2022, Judge Chuang remanded Counts I, II, and III for further proceedings in State Court and held Count IV in abeyance**

pending resolution of Counts I, II, and III. See ECF 23. Plaintiffs filed the First Amended Complaint on July 22, 2022 adding Count V and alleging violation of the 2nd Amendment. Count V of the First Amended Complaint forms the basis of the instant removal.

4. In actions removed to this court predicated on diversity jurisdiction in which the action in state court was commenced more than one year before the date of removal, the reasons why this action should not be summarily remanded to state court: **This action is not predicated on diversity jurisdiction.**

5. Identification of any defendant who was served in the state court action prior to the time of removal who did not formally join in the notice of removal and the reasons: **N/A**

Respectfully submitted,

JOHN P. MARKOV
ACTING COUNTY ATTORNEY

/s/

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